

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Dominic S. Ali

v.

Case No. 12-cv-364-SM

Northern NH Correctional Facility,
Warden, et al.


O R D E R

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Landya B. McCafferty dated June 3, 2013, for the reasons set forth therein. "[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.'" School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

Plaintiff's Claims 1(c), 2(d) and 4, and the state constitutional claims that arise from the same facts are hereby dismissed. Plaintiff's claims for damages asserted against the defendants in their official capacities, all claims for

damages asserted against defendants under RLUIPA and state law, and all claims against Corporal Nadeau are also dismissed. All remaining claims and parties will go forward in this matter.

SO ORDERED.


Steven J. McAuliffe
United States District Judge

Date: July 3, 2013

cc: Dominic S. Ali, pro se
Nancy Smith, Esq.
Francis Fredericks, Esq.